

Board of Selectmen Meeting
Tuesday, June 24, 2014

A meeting of the Rockport Board of Selectmen was held on Tuesday, June 24, 2014 at 7pm. Present were the five selectpersons, the Town Administrator and the Asst. Town Administrator; Selectperson Lucas left the meeting at 8pm.

7:00 Meeting Called to Order

Pledge of Allegiance and Moment of Silence

Approval of Minutes of June 10, 2014: Selectperson Battistelli moved that the Board of Selectmen approve the minutes of 6/10/14, seconded by Selectperson Murphy, Vote: 5-0. Amendment: incorrect name regarding the Army Corp of Engineers and Pigeon Cove Harbor.

Approval of
6/10/14 minutes.
Motion
Approved.

Interview of Edmund Montello for the Harbor Advisory Committee: Selectperson Murphy moved that the Board nominate Edmund Montello as a member of the Harbor Advisory Committee for a one year term to expire on June 30, 2015, seconded by Selectperson Sheedy, no vote taken. He said a major project is the Granite Pier Extension project.

Interview of
Edmund
Montello for
Harbor Advisory
Committee.

Interviews of Alan MacMillan Jr., Mary Ann Lash, and Lawrence Neal for the Conservation Commission: Selectperson Lucas moved that the Board nominate Alan MacMillan, Mary Ann Lash and Lawrence Neal, all, to the Conservation Commission for three year terms to expire on June 30, 2017, seconded by Selectperson Murphy, no vote taken. Larry Neal said the Conservation Commission has a few missions, the wetland protection act, the preserving of land and educating the public on conservation matters. He said the Mass. Commission of Conservation Commissions, a private body, provides trainings around the state on conservation issues.

Interviews of
Alan MacMillan,
Jr., Mary Ann
Lash, and
Lawrence Neal
for the
Conservation
Commission.
No vote taken.

Interview of Gail Zeman for the Memorial Day Committee: Selectperson Battistelli moved that the Board nominate Gail Zeman for the Memorial Day Committee for a one year term to expire on June 30, 2015, seconded by Selectperson Murphy, no vote taken. G. Zeman said she has been a resident of Rockport since 1974; her family has had extensive military involvement. She wants to see the Memorial Day activities continue in Rockport.

Interview of Gail
Zeman for
Memorial Day
Committee.
No vote taken.

Selectmen Updates and Liaison Reports: Selectperson Murphy has been speaking to residents about the 4th of July festivities, and the upcoming reunion event. It was mentioned that Hope Coffman's service was well attended and it was a nice tribute. Selectperson Lucas is attending the Mass. Cultural Celebration which is an Open House at the State House.

Selectmen
Updates and
Liaison Reports

Public Comment Period: T. Arsenian, 95 Granite St., spoke on the Granite Pier Extension Project, he said the Board of Selectmen is mistaken about the Rockport Harbor Plan, he said the Board of Selectmen did adopt the plan in 2003. He said the Granite Pier Harbor Advisory Committee couldn't possibly go forward without funding. He said the road down there is dangerous; it has no sidewalk, and needs to be improved. He said that three hundred additional moorings would create parking issues.

Public Comment
Period

Town Administrator's Report:

- The DPW will be meeting with the Beautification Committee on the Front Beach improvements. Selectperson Murphy had alerted the DPW regarding Old Garden Beach; they're taking care of it along with Long Beach.
- The DPW Commissioners would like a 7/1/14 workshop with the Board of Selectmen, before the close of the warrant for FTM.
- The Asst. Town Administrator spoke about the Mass. in Motion program, the grant requires a regional process. Essex, Rockport, Manchester, and Gloucester are participating. It institutes programs in obesity, chronic disease, etc.
- It was commented that the Farmer's Market was great.
- Regarding the tax title properties, the town's real estate counsel advised that the town is not required to hold a public auction. Chairperson Wilkinson recommended that we review the Town Meeting minutes to be sure we do what we said we'd do. The Asst. Town Administrator said under 30(b) we could still use a realtor, section 16, Surplus Properties. Selectperson Sheedy said we were going to get a written opinion from Town Counsel on this showing the various alternatives on disposing of these properties. The Town Administrator said the High Street property needs to be addressed within one year as well. The Town Administrator said if there is a desire for affordable housing, there are things required to make it affordable housing. Alan MacMillan, Story Street, questioned how the town can sell town property without telling the whole town. The Town Administrator said it has to be a public process. These properties should be on a subsequent agenda.
- The Town Administrator said she and the Asst. Town Administrator took pictures of some outdoor displays at Bearskin Neck as they are today and is comparing them to what was approved. The Town Administrator said they encountered an unlicensed street performer in an unauthorized area who indicated that he had a license but didn't have it on him at the time. Later in the day the individual came into town hall to apply for a license.

Motion to hold
workshop on
7/1/14
Motion
Approved

Selectperson Murphy moved that the Board of Selectmen hold a workshop with the DPW on 7/1/14 at 7pm, seconded by Selectperson Battistelli, Vote: 5-0.

Selectperson Lucas left the meeting.

8:00 Action List

Yearend
Transfers
Motion
Approved

Yearend Transfers: Selectperson Sheedy moved that the Board of Selectmen approve the Year End transfers as documented and submitted on the Yearend Transfers Between or Within Departments form dated June 24, 2014, seconded by Selectperson Murphy, Vote: 4-0.

Eden Road
Betterment
Abatements
Motion
Approved

Eden Road Betterment Abatements: Selectperson Murphy moved that the Board of Selectmen approve the Eden Road Abatements of Betterments as recommended by the DPW Director in his memo dated June 24, 2014 and the attached two property owners documenting the reasons for granting each abatement; seconded by Selectperson Sheedy, Vote: 4-0.

Navy
Committee
USS
Constitution
Display
Motion
Approved

Navy Committee USS Constitution Display: Selectperson Sheedy moved that the Board grant permission to the Rockport Navy Committee to allow the Commander and Mast Gun Crew of the USS Constitution use of two parking spaces at the end of Bearskin Neck for their cannon display from Friday, July 11, 2014 until Monday, July 14, 2014, seconded by Selectperson Murphy, Vote: 4-0.

26 Old County Road Cottage Renovation Approval: Selectperson Battistelli moved that the Board of Selectmen approve the renovation to 26 Old County Road as specified in plans dated

April 2, 2014 by Fennell Engineering, Inc. and reviewed by the Building Inspector, seconded by Selectperson Sheedy, Vote: 4-0.

26 Old Colony
Renovation
Motion
Approved

Appointment of Russ Liddle to the Historical Commission/Historical District Commission: Selectperson Sheedy moved that the Board appoint Russ Liddle to the Historic District/Historical Commissions for a three year term to expire on June 30, 2017, seconded by Selectperson Murphy, Vote: 3-0, Selectperson Battistelli abstaining.

Appointment of
R. Liddle to
Historical
Commission
Motion
Approved

Appointment of John Rees to the Zoning Board of Appeals: Selectperson Murphy moved that the Board appoint John Rees to the Zoning Board of Appeals for a five year term to expire on June 30, 2019, seconded by Selectperson Sheedy, Vote: 3-0, Selectperson Battistelli abstained.

Appointment of
J. Rees to ZBA
Motion
Approved

Appointment of Chris Murch, Fred Hillier, and Lawrence Stepenuck to the Harbor Advisory Committee: Selectperson Sheedy moved that the Board appoint Chris Murch, Fred Hillier, and Lawrence Stepenuck to the Harbor Advisory Committee, all for three year terms to expire on June 30, 2017, seconded by Selectperson Murphy, Vote: 4-0.

Appointments to
Harbor Advisory
Committee
Motion
Approved

Appointment of Heidi Goodwin, Mary Mintz, and Nina Samoiloff to the Beautification Committee: Selectperson Battistelli moved that the Board appoint Heidi Goodwin, Mary Minz, and Nina Samoiloff to the Beautification Committee, all for one year terms to expire on June 30, 2015, Selectperson Sheedy seconded, Vote: 4-0.

Appointments to
Beautification
Committee
Motion
Approved

Appointment of Thacher Island Keepers: Selectperson Sheedy moved that the Board appoint Rick Lillie and Amy Lillie as Thacher Island Keepers for the 2014 season, seconded by Selectperson Murphy, Vote: 4-0.

Appointment of
Thacher Island
Keepers
Motion
Approved

Appointment of Seasonal Employees: Selectperson Murphy moved that the Board appoint E. Bailey See as Tennis Director, Jean Harkey as Tennis Instructor, Colin Babakian as Tennis Instructor, Paula O'Brien as Summer Fun Director, Ann O'Donnell as Summer Fun Supervisor, Sophie Palmer as Summer Fun Counselor, Coalter Palmer as Summer Fund Counselor, Oliver Herman as Summer Fun Counselor, Alexis Cruz as Summer Fun Counselor, David Kobrosky as Summer Fun Counselor, Gideon Roell as Summer Fun Counselor, Chandra Contrino as Swim Instructor, Elizabeth Reed as Fitness Instructor and Nicole Benson as Fitness Instructor, Phil Whitley as Basketball Coach, Mike Wilson as Basketball coach, and Bill Sclafani as Basketball Coach, as seasonal employees for 2014, seconded by Selectperson Sheedy, Vote: 4-0.

Appointment of
Seasonal
Employees
Motion
Approved

Parking Lot License for Michael Balestraci: Selectperson Sheedy moved that the Selectmen approve a Parking Lot License for Michael Balestraci to operate a parking lot at the Central Garage on Jewett Street on Saturday and Sunday, Selectperson Murphy seconded, Vote: 2-1. Selectperson Battistelli abstained; Chairperson Wilkinson is opposed.

Parking Lot
License for
Michael
Balestraci
Motion
Approved

It was stated that the real estate taxes are overdue on the property; M. Balestraci said as soon as the property is sold, the taxes will be paid. Selectperson Murphy said he is in favor of it; it's a benefit to visitors for increased parking and it's only 15 spaces, 2 days/week. The Town Administrator stated that the said the Treasurer had said that M. Balestraci was not interested in a payment plan on the overdue taxes.

One Day Alcohol License for Cape Ann Chamber: Selectperson Battistelli moved that the Board approve and sign a One Day Alcohol License for the Cape Ann Chamber's Town Wide Reunion at Evans Field on July 5, 2014, Selectperson Murphy seconded, Vote: 4-0. Selectperson Murphy is going to contact Jon Cavanaugh to check on the status of the event.

One day Alcohol
License for Cape
Ann Chamber's
Town Wide
Reunion
Motion
Approved

One Day Alcohol License for Rotary Lobsterfest: Selectperson Battistelli moved that the Board approve and sign a One Day Alcohol License for the Rockport Rotary Club's

One day alcohol License for Rotary Lobsterfest Motion Approved	Lobsterfest on August 9, 2014, Selectperson Murphy seconded, Vote: 3-0; Selectperson Sheedy abstained.
Sign Permit for Bearskin Neck Bistro No vote taken.	Sign Permit for Bearskin Neck Bistro: Selectperson Murphy moved that the Selectmen approve a sign permit for the Bearskin Neck Bistro to include a freestanding sandwich board sign to be used on weekends only and a menu sign attached to the building as shown in the photographs attached to the June 2, 2014 application, Selectperson Sheedy seconded, no vote taken. Selectperson Sheedy clarified the regulations on signs. The Town Administrator said any signs on Bearskin Neck require Board of Selectmen approval. Selectperson Sheedy said two signs affixed to the building are allowable, they can't be higher than the roof; a free standing sign is permissible if it's on their property and they can have signage in the window but it cannot exceed 10% of the window. The applicant questioned other businesses on Bearskin Neck that she said have similar signage to her business. Selectperson Sheedy said the board was reviewing her signage at this meeting. More research is needed on this; it will be on a subsequent agenda.
Essex Inter-Agency Police Agreement Motion Approved	Essex Inter-Agency Police Agreement: Selectperson Sheedy moved that the Board of Selectmen approve, and ask the Chairperson to sign, an Inter-Agency Mutual Aid Agreement that sets forth terms and conditions for furnishing law enforcement mutual aid to, and exercise police authority within, other law enforcement agencies in Essex County in need of public safety support, Selectperson Murphy seconded, Vote: 3-1. Selectperson Sheedy is opposed; she said the said the agreement is too broad, however it is stated that the officer would have to be on duty in their community at the time in order to enter another community with police power.
Municipal Electronic Billing Approval Motion Approval	Municipal Electronic Billing Approval: Selectperson Battistelli moved that the Board approve the use of Municipal Electronic Billing for real estate, personal property, and excise taxes as well as utility fees pursuant to MGL Chapter 60, Section 3A; Selectperson Murphy seconded, Vote: 4-0. The Town Administrator said that residents sign up for this and if they choose not to, they will continue to receive their bills in the mail.
Economic Development Committee Promotion Contract Motion Approved	Economic Development Committee Promotion Contract: Selectperson Sheedy moved that the Board of Selectmen approve and sign an agreement with Warner Communications of 41 Raymond Street, Manchester-by-the-Sea, Massachusetts, to provide professional services for a promotion plan, not to exceed \$56,000 as stipulated in the agreement, seconded by Selectperson Battistelli, Vote: 4-0.
Bedrock Well Power Pole Easement Motion Approved	Bedrock Well Power Pole Easement with National Grid: Selectperson Murphy moved that the Board grant an easement to National Grid for the installation and maintenance of power poles for the Bedrock Well Pump Station as approved by Town Meeting on April 5, 2014 in Article H, Selectperson Sheedy seconded, Vote: 4-0.
CORI Policy Approval Motion Approved.	CORI Policy Approval: Selectperson Murphy moved that the Board approve and adopt the CORI Policy written by Town Counsel and dated June 24, 2014, Selectperson Sheedy seconded, Vote: 4-0. Selectperson Sheedy said she is comfortable with this as long as permission is required by the individual that the CORI is being processed on. The Asst. Town Administrator said this change complies with the CORI changes in effect as of 2012. The police department can no longer run their own CORIs; town hall will process all CORIs.
9:00	<u>Discussion Items</u>
Discussion Items:	Fluoride Removal from Public Water Supply Karen Tysver was presenting from the Cape Ann Fluoride Network. She has a petition to get on town meeting in September. She said sodium fluoride is synthetic, it's an industrial waste product; it is treated as a bio-hazard. She stated that 97% of Europe does not fluoridate their
Fluoride Removal from Public Water Supply	

water; England fluoridates 11%, Ireland fluoridates at the same rate as the U.S. They want the voters to decide on this issue. They were going to go before the Board of Health last night, but there was no meeting. She said Gloucester is looking into this at this time as well; they are going before the Gloucester City Council on 7/22/14 and the Board of Health on 7/24. Larry Parsons, Jerden's Lane, said he visited the Newburyport chapter last week, doctors and dentists are concerned about this serious issue. T. Tarr, 154 Main St., said is this science rather than twitter. He said he has read studies that were favorable about fluoride. The petition would be a non-binding question for Town Meeting. Joanne Wile, 6 Highland Street, said in 1958 town meeting voted to start it. It was never put on the ballot, then again in 1969 the Board of Health spoke against it. It was indefinitely postponed, then in 1982 the Board of Health proposed it in town meeting as non-binding, 986 were in favor and 724 were against. T. Arsenian said this is not decided by the Board of Health, it's the DPW Commissioners, he questions if the Board of Selectmen could verify the legality of this. T. Arsenian recommended that the town simply not approve the cost to purchase the fluoride. The Asst. Town Administrator clarified that the outcome of a petition article cannot direct the Executive Branch to do something, it can request or authorize but cannot force it. Z. Seppela, Granite Street, questioned if there are alternatives, like bottled water, etc.

Upcoming meetings:

Workshop Meeting with DPW, Tuesday, 7/1/14

Tool Company DEP Public Hearing is scheduled for 7/15/14 in the Library Brenner Room

Meeting with Finance Committee & Bond Counsel, 7/9/14

Upcoming
Meetings

Other Business/Announcements:

- There are two finalists for the Town Accountant position.
- Chairperson Wilkinson said putting instructions on the new parking meters would be helpful.

Other Business/
Announcements

9:45 Selectperson Murphy moved to adjourn, seconded by Selectperson Sheedy, Vote: 5-0.

Warrant Signed:

Warrant signed for the Fiscal Year 2014 Payroll and Expenses for the week of 6/26/14 in the amounts of \$232,254.61 and \$4,440,849.55 respectively.

Items Signed:

Bonnie Barish, Temporary Street Performer's License

Rachael Slepian, Temporary Street Performer's License

Zachary Warren, Temporary Street Performer's License

Warner Communications, 41 Raymond Street, Manchester-by-the-Sea

Yearend transfers

Central Garage, Michael Balestraci

Grant of Easement, Mass Electric

Municipal Electronic Billing

Interagency Agreement

Rockport Rotary, Alcoholic Beverage

AnnMarie Ryan, Hawker's & Peddler's License

Aaron Cilluffo, Hawker's & Peddler's License

Paul Ryan, Hawkers & Peddler's License

Robert Orlando, Hawker's & Peddler's License